



OCT 28 1998

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

William Squire  
Carella Byrne Bain Gilfillan Cecchi Stewart & Olstein  
6 Becker Farm Road  
Roseland NJ 07068

Re: Patent Term Extension  
Application for  
U.S. Patent No. 4,291,708



Dear Mr. Squire:

NOV - 2 1998

An order granting an extension under 35 U.S.C. § 156(d)(5) is enclosed extending the term of U.S. Patent No. 4,291,708 for a period of one year.

Telephone inquiries regarding this communication should be directed to the undersigned at (703)306-3159.



Karin Tyson  
Senior Legal Advisor  
Special Program Law Office  
Office of the Deputy Assistant Commissioner  
for Patent Policy and Projects

cc: Ronald L. Wilson, Director  
Health Assessment Policy Staff  
Office of Health Affairs (HFY-20)  
Food and Drug Administration  
5600 Fishers Lane, Room 15-22  
Rockville, MD 20857

RE: T-SCAN™

FDA Docket # 98E-0851

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98E-0851

AAV1

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE COMMISSIONER OF PATENTS AND TRADEMARKS**

In re Yeda Research & Development Co.  
Request for Patent Term Extension  
U.S. Patent No. 4,291,708

:  
: **ORDER GRANTING**  
: **INTERIM EXTENSION**

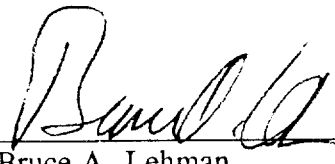
On September 4, 1998, patent owner Yeda Research & Development Co., filed an application under 35 U.S.C. § 156(d)(5) for interim extension of the term of U.S. Patent No. 4,291,708. The patent claims the method of use of the medical device "T-SCAN™." The application indicates, and the Food and Drug Administration (FDA) has confirmed, that the medical device is currently undergoing a regulatory review before the FDA for permission to market or use the product commercially. The original term of the patent is due to expire on November 2, 1998.

Review of the application indicates that except for receipt of permission to market or use the product commercially, the subject patent would be eligible for an extension of the patent term under 35 U.S.C. § 156. Since it is apparent that the regulatory review period may extend beyond the date of expiration of the patent, an interim extension of the patent term under 35 U.S.C. § 156(d)(5) is appropriate.

An interim extension under 35 U.S.C. § 156(d)(5) of the term of U.S. Patent No. 4,291,708 is granted for a period of one year from November 2, 1998, the original expiration date of the patent.

OCT 23 1998

Date

  
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Bruce A. Lehman  
Assistant Secretary of Commerce and  
Commissioner of Patents and Trademarks

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**DEPARTMENT OF HEALTH & HUMAN SERVICES**

Public Health Service  
Food and Drug Administration

9 0 1 5 '99 APR 20 P2:19  
**Memorandum**

Date: **APR 19 1999**

From: Brian J. Malkin, Associate Director for Patents and Hearings  
Health Assessment Policy Staff (HFY-20)

Subject: Patent Term Restoration Application  
for T-Scan 2000<sup>®</sup>

To: Dockets Management (HFA-305)

Attached is correspondence for the docket related to the above mentioned medical device under the Docket Number **98E-0851**. The Patent Number is **4,291,708**. Please place this recent correspondence in the appropriate file.

If you have any questions, please contact me at 827-6620. Thank you for your assistance.

Attachment